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PTO/SB/21 (AW)(03-03)

Approved for use through 04/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 34

Application Number	10/017,865
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki Oshima
An Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US4

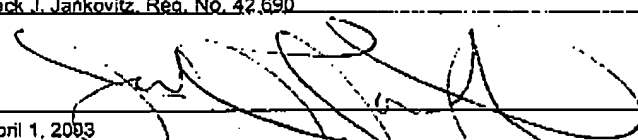
ENCLOSURES (Check all that apply)

- ☒ Fee Transmittal Form
☒ Fee Attached
- ☒ Amendment/Reply
☐ After Final
☐ Affidavits/Declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/
Incomplete Application
- ☐ Response to Missing Parts under
37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation,
Change of Correspondence
Address
- ☒ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication
to Group
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please
identify below):
- Return Postcard

Remarks:**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual	Allan Ratner, Reg. No. 19,717 Jack J. Jankovitz, Reg. No. 42,690
Signature	
Date	April 1, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

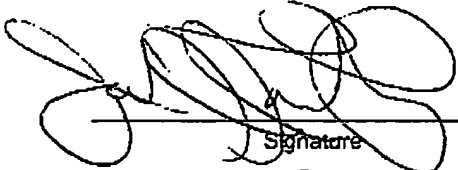
If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option

PTO/SB/22 (10-00) (AY 01/17/02)

Approved for use through 10/31/2002. OMB 0851-0031

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) MTS-520US4										
In re Application of Mitsunaki Oshima et al.												
Application Number 10/017,965		Filed December 7, 2001										
For MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK												
Group Art Unit 2134	Examiner Paul E. Callahan											
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application. I am the attorney or agent of record.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired):</p> <table style="width: 100%; margin-top: 10px;"> <tr> <td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="text-align: right;">\$110</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: right;">\$ _____</td> </tr> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.</p> <p><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____.</p> <p>I have enclosed a duplicate copy of this sheet.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>April 1, 2003</p> <p>_____ Date</p> </div> <div style="text-align: center;">  <p>_____ Signature</p> <p>Allan Ratner, Reg. No. 19,717</p> <p>Jack J. Jankovitz, Reg. No. 42,690</p> <p>_____ Typed or printed name</p> </div> </div>			<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$110	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ _____	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$110											
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____											
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ _____											
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____											
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____											
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>												
<p><input checked="" type="checkbox"/> *Total of 1 form is submitted.</p>												

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Date: APRIL 1, 2003

Assistant Commissioner for Patents:

Please acknowledge receipt of the document(s) described below by imprinting the Patents & Trademark Office "date-stamp" hereon and returning this card to the addressee on the reverse side.

FILE NO.: MAT (MTS) 52054 FEE DUE? YES or NO AMT. ENCD. \$ 220.00NAME: M. OSHIMA

- | | |
|---|---|
| <input type="checkbox"/> Specification (____ pp.) | <input type="checkbox"/> Drawing(s) (____ pp.) |
| <input checked="" type="checkbox"/> IDS & PTO 1449 (<u>9</u> pp.) | <input checked="" type="checkbox"/> Copy of <u>1</u> Reference(s) |
| <input checked="" type="checkbox"/> Copy of Search Report <u>PRENO.A.</u> | <input type="checkbox"/> Form 1390 |
| <input type="checkbox"/> Claim to Right of Priority | <input type="checkbox"/> Priority Document(s) |
| <input type="checkbox"/> Response to Missing Parts | <input type="checkbox"/> Copy of Formalities Letter |
| <input type="checkbox"/> Declaration & POA (____ pp.) | <input type="checkbox"/> Certificate of Express Mailing |
| <input checked="" type="checkbox"/> Petition for Ext. of Time (<u>1</u> mo.) | <input type="checkbox"/> Assignment & Form 1595 (____ pp.) |
| <input type="checkbox"/> Utility Transmittal | <input checked="" type="checkbox"/> Fee Transmittal <u>+1</u> |
| <input checked="" type="checkbox"/> Amendment/Response (<u>15</u> pp.) | <input type="checkbox"/> Preliminary Amendment (____ pp.) |
| <input type="checkbox"/> Issue Fee/Publication Fee | <input type="checkbox"/> Formal Drawing(s) (____ pp.) |
| <input checked="" type="checkbox"/> Transmittal | <input type="checkbox"/> _____ |
| <input checked="" type="checkbox"/> <u>TERMINAL DISAMER (6)</u> | |

Serial No.: 107 017 965

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Technology Center 2100

MTS-520US4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitsuaki Oshima et al. : Art Unit: 2134
Serial No.: 10/017,965 : Examiner: Paul E. Callahan
Filed: December 7, 2001 :
For: MARK FORMING APPARATUS, :
METHOD OF FORMING LASER :
MARK ON OPTICAL DISK, :
REPRODUCING APPARATUS, :
OPTICAL DISK AND METHOD :
OF PRODUCING OPTICAL DISK :

Official

6-16-03

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the Form PTO-1449 (RP) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese reference is not in the English language:

1) JP 5-234321

Reference 1) includes an English language abstract.

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MTS-520US4

- 2 -

Reference 1) was cited in an official action by the Korean Patent Office in a patent application corresponding to the above-identified patent application. A copy of this official action, is transmitted herewith.

In the Korean Official Action, the second reference was submitted to the USPTO in a previous IDS filed December 7, 2001. The third reference, a Korean publication corresponds to JP 02-56750, filed February 19, 2003 in an IDS.

CERTIFICATION

The undersigned, an attorney registered to practice before the U.S. Patent and Trademark Office, hereby certifies that each reference disclosed in the subject Supplemental Information Disclosure Statement was cited in a communication (i.e., a search report) from a foreign patent office in a counterpart foreign application not more than three months before the filing of the Supplemental Information Disclosure Statement.

Respectfully submitted,

RatnerPrestia

Allan Ratner, Reg. No. 19,717
Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

AR:kc

Enclosures: Form PTO-1449
(1) Reference
Office Action

Dated: April 1, 2003

Suite 301
One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

Sheet 1 of 1

FORM PTO-1449 (Rev. 2-32)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. MTS-520US4	SERIAL NO 10/017,965
Information Disclosure Statement by Applicant (Use several sheets if necessary)		APPLICANT Mitsuki Oshima et al.	
		FILING DATE December 7, 2001	GROUP 2134

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

			Korean Patent Office Official Action dated March 5, 2003

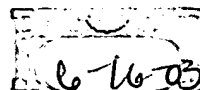
Examiner	Date Considered
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

USPTO Form 1519 [R&P]

MTS-520US4

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitsuaki Oshima et al. : Art Unit: 2134
Serial No.: 10/017,965 : Examiner: Paul E. Callahan
Filed: December 7, 2001 :
For: MARK FORMING APPARATUS, :
METHOD OF FORMING LASER :
MARK ON OPTICAL DISK, :
REPRODUCING APPARATUS, :
OPTICAL DISK AND METHOD :
OF PRODUCING OPTICAL DISK :

RESPONSE TO OFFICE ACTION**DATED DECEMBER 3, 2002**

Assistant Commissioner for Patents

Washington, DC 20231

S I R :

Responsive to the Office Action dated December 4, 2002, please amend the above-identified application as follows:

IN THE CLAIMS:

Newly added claim 32 (as filed on June 21, 2002) is shown below in proper form (all words are underlined, as claim 32 is new relative to the claims in the Patent). Claim 32 has not been amended.

32. (Newly Added) An optical disk comprising:

a data zone for recording information readable by light radiation;

a track of spiral shape; and

a barcode pattern formed by a laser on said track.

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MTS-520US4

- 2 -

Newly added claim 33 (as filed on June 21, 2002) is shown below in proper form (all words are underlined, as claim 33 is new relative to the claims in the Patent). Claim 33 has not been amended.

33. (Newly Added) A method of manufacturing an optical disk comprising the steps of:

forming a track of spiral shape on a substrate of the optical disk; and

forming a barcode pattern by a laser on the track.

MTS-520US4

- 3 -

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6-16-03

REMARKS

In response to the various paragraphs of the Office Action, Applicants offer the following remarks:

(1) Response. The Office Action indicates that claims 1-30 have been cancelled and claims 31 and 32 have been added. Applicants believe that this is an error, as claims 1-31 have been cancelled and claims 32 and 33 have been added.

(2) Format. Pursuant to the Examiner's request, Applicants have now shown claims 32-33 in a proper format for a Reissue application. Claims 31-32 are both shown entirely underlined. These claims have not been amended.

The Office Action refers to an amendment filed August 30, 2002. Applicants believe that this is an error, as the only Amendment filed was on June 21, 2002 which cancelled claims 28-31 and added new claims 32-33.

(3) Concurrent Proceedings. The Examiner is already aware of the parent Reissue application and Divisional Reissue applications that are concurrently proceeding through the Patent Office with this Divisional Reissue application.

(4) Capacity to sign for corporation.

Applicants have now enclosed a better copy of an originally submitted Certificate Under 37 CFR 3.73 (b) in this Application. The title of the signer in the originally submitted Certificate is not clear. In the enclosed copy, the title is more clear. The stamp sets forth his name and title as "General Manager IP Development Center, Authorized Signing Officer". Page 1 of the Certificate sets forth that "The

MTS-520US4

- 4 -

undersigned is empowered to act on behalf of the assignee." Applicants request that the Office substitute the enclosed copy for the originally submitted copy.

(5)-(6) Declaration. A Substitute Declaration, updating the errors corrected, is enclosed, as requested by the Office. The Substitute Declaration is a copy of the Substitute Declaration submitted in the parent Reissue application, no. 09/588,364.

(7) Surrender of Patent. The original patent was surrendered to the Office in the copending Reissue application, no. 09/588,364, on November 22, 2002. As the original patent was lost, Applicants have submitted a communication in the copending (parent) Reissue application, no. 09/588,364, stating that the original patent had been lost (see enclosed copy of a Communication dated December 20, 2002).

(8)-(9) Double Patenting. The Office has rejected claims 32-33 because they claim the same invention as that of claims 1-12, 36-37 of copending Reissue application, serial no. 09/588,364. Applicants respectfully submit that claims 32-33 include features not found in claims 1-12, 36 and 37 of the copending Reissue application and, therefore, cannot be the same invention for the reasons set forth below.

Claim 32 includes the following features:

- a track of spiral shape; and
- a barcode pattern formed by a laser on the track.

Claim 33 includes the following features:

- forming a track of spiral shape on a substrate of the optical disk; and

MTS-520US4

- 5 -

- forming a barcode pattern by a laser on the track.

Claims 1-12, 36 and 37 of the copending Reissue application each includes features not found in either claim 32 or 33. In addition, claims 32 and 33 each includes features not found in any of claims 1-12, 36 and 37. Therefore, these sets of claims are not identical inventions, for the following reasons:

Claim 1 of the copending Reissue application includes at least two features not found in claim 32 or 33, namely "marking position detection means" and "position information output means." Moreover, claim 1 includes "marking forming means for applying at least one mark to the reflective film." Claim 32, on the other hand, includes "**a track of spiral shape**" and "**a barcode pattern formed by a laser on a track**". These features in bold are not found in claim 1. Claim 32 does not have identical subject matter with claim 1 and, thus, is not the "same invention" as claim 1. In addition, claim 33 is a method claim, whereas claim 1 is an apparatus claim. Therefore, claim 33 is not the "same invention" as claim 1.

Claims 2-11 of the copending Reissue application depend from claim 1 and include additional features that limit claim 1. Consequently, claim 32 or claim 33 cannot be the same invention as claims 2-11 for at least the same reasons set forth above.

Claim 12 of the copending Reissue application includes "laminating the disk and another disk together" and "trimming the reflective film to form at least one marking by a laser on the reflective film". Claim 33, on the other hand, does **not** include laminating two disks together, and includes "**forming a track of spiral shape**" and "**forming a barcode pattern by a laser on a track**." These features in bold are not found in claim 12. Claim 33 is thus not the "same invention" as claim

MTS-520US4

- 6 -

12. In addition, claim 32 is an apparatus claim, whereas claim 12 is a method claim. Therefore, claim 32 cannot be the "same invention" as claim 12.

Claim 36 of the copending Reissue application includes "a data zone indicating data signals." Claim 32, on the other hand, includes "**a track of spiral shape**" and "**a barcode pattern formed by a laser on a track.**" These features in bold are not found in claim 36. Claim 32 is thus not the "same invention" as claim 36. In addition, claim 33 is a method claim, whereas claim 36 is an apparatus claim. Therefore, claim 33 cannot be the "same invention" as claim 36.

Claim 37 of the copending Reissue application includes "forming...a data zone indicating data signals." Claim 33, on the other hand, includes "**forming a track of spiral shape**" and "**forming a barcode pattern by a laser on a track.**" The features in bold are not found in claim 37. Claim 33 is thus not the "same invention" as claim 37. In addition, claim 32 is an apparatus claim, whereas claim 37 is a method claim. Therefore, claim 32 cannot be the "same invention" as claim 37.

Accordingly, Applicants respectfully submit that claims 32 or 33 of this application are not the same inventions (do not include the same subject matter) as any of claims 1-12, 36 and 37 of the copending Reissue application. Therefore, these sets of claims are not subject to a rejection in view of double patenting based on U.S.C. 101.

In the event that the Examiner rejects claims 32 and 33 in view of double patenting based on the obviousness kind (non-statutory), Applicants terminally disclaim a patent granted based on this application, and have thus enclosed a terminal disclaimer.

MTS-520US4

- 7 -

(10)-(11) Section 102 Rejection. The Office rejected claims 32 and 33 as being anticipated by Ikeda. Applicants submit that this rejection is overcome for the reasons set forth below.

Claim 32 includes the following features:

- a track of spiral shape
- a barcode pattern formed by a laser on the track.

Basis for forming a spiral track may be seen, for example, in FIG. 13A. Basis for forming a barcode pattern by a laser may be seen, for example, in FIG. 1 (819 a, b and d).

Ikeda, cited by the Examiner, discloses in FIG. 1, marks on disk 1. The marks contain pits (FIG. 2) indicating data signals. As understood by Applicants, Ikeda forms a reflective film on top of the pits (marks), so that the pits may be readable by an optical detector. Ikeda first forms the pits (marks) and then forms a reflective layer on top of the pits (marks). Ikeda does **not** form marks of a barcode pattern **by a laser**.

Furthermore, Ikeda does **not** suggest a barcode pattern formed by a laser on **a spiral track**. The area where Ikeda forms a barcode-like pattern does **not** have a **spiral track**. While Ikeda shows a circular barcode-like pattern, he does not show anything like a spiral track. A spiral track is generally formed continuously, without any interruptions. The area that includes the barcode-like pattern (FIG. 1 of Ikeda), however, shows no tracks between successive markings. The area appears to be without spiral tracks.

MTS-520US4

- 8 -

Although not the same, claim 33 includes features similar to claim 32 and, therefore, is not subject to rejection in view of Ikeda for the same reasons set forth for claim 32.

Reconsideration of claims 32 and 33 is respectfully requested.

Respectfully submitted,

RatnerPrestia



Allan Ratner, Reg. No. 19,717
Jack J. Jankovitz, Reg. No. 42,690

JJJ:kc

Enclosures: Substitute Declaration
Communication dated December 20, 2002
Terminal Disclaimer
Copy of Certificate Under 37 CFR 3.73 (b)

Dated: April 1, 2003

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

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OMB 0651-0033

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SUBSTITUTE
REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

MTS-520US1

As a below named inventor, I hereby declare that
 My residence, post office address and citizenship are stated below next to my name.
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first
 and joint inventor (if plural names are listed below) of the subject matter which is described and claimed
 in patent number 5,761,301, granted June 2, 1998, and for which a
 reissue patent is sought on the invention entitled MARK FORMING APPARATUS, METHOD OF FORMING LASER
MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK
 the specification of which

☐ is attached hereto.

☒ was filed on June 2, 2000 as reissue application number 09 / 588,364
 and was amended on _____
 (if applicable)

I have reviewed and understand the contents of the above identified specification, including the claims,
 as amended by any amendment referred to above.
 I acknowledge the duty to disclose information which is material to patentability as defined in
 37 CFR 1.56.

I verify believe the original patent to be wholly or partly inoperative or invalid, for the reasons described
 below. (Check all boxes that apply.)

- ☐ by reason of a defective specification or drawing.
☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.
☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

See Attachment:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual
 case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer,
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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) MTS-520US1	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.			
Name(s)		Registration Number	
<u>Allan Ratner</u>		<u>19,717</u>	
<u>Jacques L. Edkowitz</u>		<u>41,738</u>	
Correspondence Address: Direct all communications about the application to:			
<input checked="" type="checkbox"/> Customer Number		Type Customer Number here	
OR		Place Customer Number Code Label here 23122	
PATENT TRADEMARK OFFICE			
<input checked="" type="checkbox"/> Filing or Individual Name	<u>Ratner & Prestia</u>		
Address	<u>P.O. Box 980</u>		
Address			
City	<u>Valley Forge</u>	State	<u>PA</u>
ZIP	<u>19482</u>		
County			
Telephone	<u>610-407-0700</u>	Fax	<u>610-407-0701</u>
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name)			
<u>Mitsuaki Oshima</u>			
Inventor's signature		<u>Mitsuaki Oshima</u>	
Residence	<u>Kyoto, Japan</u>	Date	<u>November 12, 2002</u>
Post Office Address	<u>115-1, Minamitarumi-cho, Katsura, Nishikyo-ku, Kyoto-shi, Kyoto 613, Japan</u>		
Citizenship	<u>Japanese</u>		
Full name of second joint inventor (given name, family name)			
<u>Yoshiho Gotoh</u>			
Inventor's signature		<u>Yoshiho Gotoh</u>	
Date	<u>November 13, 2002</u>		
Residence	<u>Osaka, Japan</u>	Citizenship	<u>Japanese</u>
Post Office Address	<u>Room 201, 9-17, Higashinakahama 4-chome, Jyoto-ku, Osaka-shi, Osaka 536, Japan</u>		
Full name of third joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Post Office Address			
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

(Page 2 of 2)

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Attachment to PTO/SB/51 (12-97)
Reissue Application Declaration by the Inventor

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed in the patent at column 12, lines 30-36 were appropriate to claim. As such, the inventors did not claim all that they had a right to claim. This error was made without deceptive intent. Specifically, the inventors did not claim any one or more of the features of the reflective layer being trimmed by a laser to form a barcode-like trimming pattern or at least one marking.

More specifically, the inventors did not claim any one of the features of trimming the reflective layer of an optical disk to form a barcode pattern, where the barcode pattern is formed on a track of the disk. In addition, the inventors did not claim any one of the features of trimming the reflective film of an optical disk to form a marking by a laser, where the marking is formed on a track of the disk. These errors were made without deceptive intent.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which the priority date is claimed:

Prior Foreign Application(s)

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>
6-283415	Japan	17/November/1994
7-016153	Japan	02/February/1995
7-261247	Japan	09/October/1995

REP_WFS_MAIN\CLTDATA\CLIENT\TTS\520US1\ATTACHMENT_SUED\DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mitsuaki Oshima et al.

: Art Unit: 2134

Serial No.: 09/588,364

: Examiner: P. E.
Callahan

Filed: November 17, 1995

For: MARK FORMING APPARATUS, METHOD OF
FORMING LASER MARK ON OPTICAL DISK,
REPRODUCING APPARATUS, OPTICAL DISK AND
METHOD OF PRODUCING OPTICAL DISK

CCPY

COMMUNICATION

Official

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

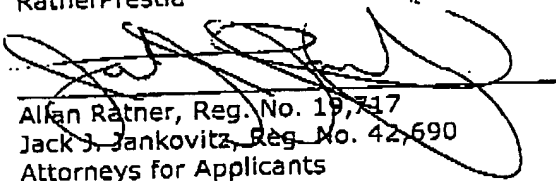
The undersigned surrendered to the Patent Office on November 22, 2002, an original Letters Patent No. 5,761,301. The original patent was given to Landon and Stark Associates who delivered it to Technology Center 2100.

Proof that the original patent was received in Technology Center 2100 on November 22, 2002 is shown in the attached copy of a postcard.

To the best knowledge of the undersigned, the original patent was delivered to the Technology Center 2100 on November 22, 2002. The Patent Office cannot find this original patent and the undersigned, therefore, believes that the original patent is now lost.

Respectfully Submitted,

RatnerPrestia


Allan Ratner, Reg. No. 19,717
Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

JJJ/fp

Dated: December 20, 2002

Enclosure: Copy of postcard

Suite 301
One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Assistant Commissioner for Patents is hereby
authorized to charge payment to Deposit Account
No. 18-0350 of any fees associated with this
communication.

I hereby certify that this correspondence is being hand delivered
to: Assistant Commissioner for Patents, Washington, D.C. 20231
on:

December 20, 2002

FP_1-11151520US1-COMMUNICATION_01.DOC

06-16-2003 09:45

FROM-RatnerPrestia

610 407 0701

T-770 P.018/029 F-745

Date: December 20 2002

Assistant Commissioner for Patents:
Please acknowledge receipt of the document(s) described below by imprinting
the Patent and Trademark Office "date-stamp" hereon and returning this card to
the addressee indicated on the reverse side.

FILE NO. MTS 3520 US 1 FEE DUE? NO or YES: \$-0-

NAME: H. Oshima et al

- ☐ IDS and PTO Form 1449 (____ pp.) (Supplemental: YES or NO) **Received**
- ☐ Copy of ____ reference(s)
- ☐ Status Request
- ☐ Claim To Right of Priority
- ☐ Response to Restriction Requirement
- ☐ Response to Missing Parts
- ☐ Form 1390 ☐ Certificate of Express Mailing
- ☐ Declaration/POA (____ pp.)
- ☐ Assignment & Form 1595 (____ pp.)
- ☐ Response to OA (____ pp.)
- ☐ Petition to Make Special / For Revival
- ☐ Submission of Formal Drawings
- ☐ Certificate of Correction ☐ Form 1050 (Duplicate)
- ☒ Communications
- enclosures
- ☐ Copy of Search Report
- ☐ Issued Claims (____ pp.) & Drawings
- ☐ Preliminary Amendment
- ☐ Amendment (____ pp.)
- ☐ Copy of Formalities Letter (____ pp.)
- ☐ RCE Transmittal
- ☐ Priority Document(s) (CERTIFIED)
- ☐ Petition for Ext. of Time (____ mo.)
- ☐ Fee Transmittal
- ☐ Issue Fee and Publication Fee
- ☐ Sheets of Drawings (Formal)
- ☐ -0- Check(s)

USPN: 09/588,364

MTS-520US1

Official

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Oshima et al.

: Art Unit: 2132

Serial No.: 09/588,364

: Examiner: S. Kabakoff

Filed: June 2, 2000

FOR: MARK FORMING APPARATUS,
METHOD OF FORMING LASER MARK ON
OPTICAL DISK, REPRODUCING
APPARATUS, OPTICAL DISK AND
METHOD OF PRODUCING OPTICAL DISK

CERTIFICATE UNDER 37 CFR 3.73 (b)

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

Matsushita Electric Industrial Co., Ltd., a Japanese Corporation
certifies that it is the assignee of the entire right, title and interest in U.S. Patent
No. 5,761,301, which issued from application number 08/560,015, filed on
November 17, 1995 by virtue of an assignment from the inventors. The
assignment was recorded in the Patent and Trademark Office at Reel 7884, Frame
0122, for which a copy thereof is attached.

The undersigned has reviewed all the documents in the chain of title
from patent application 08/560,015 to U. S. Patent No. 5,761,301 and, to the best
of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act
on behalf of the assignee.

MTS-520US1

- 2 -

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : October 1, 2001

Name : H. Kitagawa

Title : General Manager, IT Development Center
Authorized Signing Officer

Signature : _____

Office

PATENT
6-16-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitsuiaki Oshima et al. : Art Unit: 2134
Serial No.: 10/017,965 : Examiner: Paul E. Callahan
Filed: December 7, 2001 :
For: MARK FORMING APPARATUS, :
METHOD OF FORMING LASER :
MARK ON OPTICAL DISK, :
REPRODUCING APPARATUS, :
OPTICAL DISK AND METHOD :
OF PRODUCING OPTICAL DISK :

TERMINAL DISCLAIMER TO
OVERCOME DOUBLE PATENTING REJECTION

Assistant Commissioner for Patents

Washington, D.C. 20231

S I R :

I, Allan Ratner, represent that I am an attorney of record for this
invention.

The Assignee is Matsushita Electric Industrial Co., Ltd.

The extent of the interest in this invention that the Assignee owns is in
the whole of this invention, by virtue of an assignment from the inventor of U.S.
patent application Serial No. 08/560,015, filed November 17, 1995, now United
States Patent No. 5,761,301.

The Assignment was recorded on April 10, 1996, Reel 7884, Frame
0122. A copy thereof is attached.

The terminal part of the statutory term of any patent granted on the
above-identified application, which would extend beyond the expiration date of the
full statutory term of any patent granted on second pending Application No.

I:\VFTS\520us4\Terminal Disclaimer.doc

09/588,364, filed on June 2, 2000, the term defined in 35 U.S.C. §§ 154 to 156 and 173 is hereby disclaimed, except as provided below. It is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and any patent so granted on the second pending application shall be commonly owned, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term (as defined in 35 U.S.C. §§ 154 to 156 and 173) of any patent granted on the second pending application, in the event that any such granted patent: later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the Assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and

MTS-520US4

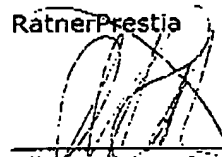
- 3 -

that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

A check in the amount of \$110.00 is enclosed in payment of the required processing fee as set forth in 37 C.F.R. § 1.17.

Respectfully Submitted,

RatnerPrestia


Allan Ratner, Reg. No. 19,717
Attorney for Applicants

AR:kc

Enclosure: Copy of Assignment Recordation

Dated: April 1, 2003

Suite 301
One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

06-16-2003 09:47

FROM-RatnerPrestia

610 407 0701

T-770 P.024/029 F-745

JUL -8 1996

RATNER & PRESTIA



UNITED STATES DEPARTMENT OF COMMERCE
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ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D C 20231

JUNE 29, 1996

PTAS



100173965A

RATNER & PRESTIA
ALLAN RATNER
P.O. BOX 980
500 N. GULPH ROAD
VALLEY FORGE, PENNSYLVANIA 19482

Official

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/10/1996

REEL/FRAME: 7884/0122
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
OSHIMA, MITSUAKI

DOC DATE: 02/20/1996

ASSIGNOR:
GOTOH, YOSHIHO

DOC DATE: 02/20/1996

ASSIGNEE:
MATSUSHITA ELECTRIC INDUSTRIAL CO. LTD.
1006, OAZA KADOMA, KADOMA-SHI
OSAKA, JAPAN 571

SERIAL NUMBER: 08560015
PATENT NUMBER:

FILING DATE: 11/17/1995
ISSUE DATE:

KEITH GOODE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

COPY

No legalization required

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ASSIGNMENT

Official

WHEREAS, the ASSIGNOR, comprising the
following named inventors:

InventorsASSIGNORS/
INVENTORS

1. Mitsuaki OSHIMA
2. Yoshiho GOTOH
- 3.
- 4.

TITLE

has made an invention entitled: MARK FORMING APPARATUS,
METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING
APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK
and has executed an application for Letters Patent of
the United States concurrently herewith;

WHEREAS, the ASSIGNEE, comprising the
following named company:

ASSIGNEE
(Full Name
and address)

1. MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.
of 1006 Oaza Kadoma, Kadoma-shi, Osaka 571 JAPAN

is desirous of acquiring the entire interest in and to
said invention and the Letters Patent to be obtained
therefor,

NOW, THEREFORE, in consideration of the
payment by ASSIGNEE to ASSIGNOR of a sum corresponding
to One Dollar (\$1.00), and for other good and valuable
consideration, the receipt of which is hereby
acknowledged, ASSIGNOR, intending to be legally bound,
hereby sells, assigns and transfers to ASSIGNEE, its
successors and assigns the full and exclusive right,
title and interest in and to said invention, all
applications for Letters Patent for said invention,
including all divisions and continuations thereof, all
rights to claim priority based thereon, and all Letters
Patent, including reissues, to be obtained therefor,
including any and all foreign patent rights in this
invention corresponding thereto.

ASSIGNOR hereby warrants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

ASSIGNOR agrees it shall be legally bound, upon request of the ASSIGNEE or its successors or assigns or a legal representative thereof, to supply all information and evidence of which the ASSIGNOR has knowledge or possession, relating to the making and practice of said invention, to testify in any legal proceeding relating thereto, to execute all instruments proper to patent the invention in the United States of America and foreign countries in the name of the ASSIGNEE, and to execute all instruments proper to carry out the intent of this instrument.

If the invention requires a biological deposit, ASSIGNOR also grants to ASSIGNEE such control over any deposit made by ASSIGNOR as may be necessary to the validity of the patent rights assigned herein.

ASSIGNOR authorizes ASSIGNOR's attorney to insert at the end hereof the serial number and filing date of the aforesaid application for United States Letters Patent and/or the Attorney docket or file designation for this application.

If the ASSIGNOR includes more than one individual, these obligations shall apply to these individuals both individually and collectively.

IN WITNESS WHEREOF, this Assignment is executed on the day indicated below.

	(Typed or Printed Name)	(Signature)	(Date)
SIGNATURE	1. Mitsuaki OSHIMA	<u>Mitsuaki Oshima</u>	<u>Dec. 20, 1996</u>
	2. Yoshiho GOTOH	<u>Yoshiho Gotoh</u>	<u>Dec. 20, 1996</u>
	3.	_____	_____
	4.	_____	_____

Application for United States Letters Patent

Serial No. 00,600,015 Filed November 17, 1996

Attorney Docket No.: MTS-520

COPY

MTS-520US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Oshima et al.

: Art Unit: 2132

Serial No.: 09/588,364

: Examiner: S. Kabakoff

Filed: June 2, 2000

FOR: MARK FORMING APPARATUS,
METHOD OF FORMING LASER MARK ON
OPTICAL DISK, REPRODUCING
APPARATUS, OPTICAL DISK AND
METHOD OF PRODUCING OPTICAL DISK

Official

6-16-03

CERTIFICATE UNDER 37 CFR 3.73 (b)

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

Matsushita Electric Industrial Co., Ltd., a Japanese Corporation certifies that it is the assignee of the entire right, title and interest in U.S. Patent No. 5,761,301, which issued from application number 08/560,015, filed on November 17, 1995 by virtue of an assignment from the inventors. The assignment was recorded in the Patent and Trademark Office at Reel 7884, Frame 0122, for which a copy thereof is attached.

The undersigned has reviewed all the documents in the chain of title from patent application 08/560,015 to U. S. Patent No. 5,761,301 and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

MTS-520US1

- 2 -

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : October 1, 2001

Name : H. Katagawa

Title : General Manager of Development Center
Authorized Signing Officer

Signature : _____

Official

6-16-03

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PTO/SB/51 (12-97)
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SUBSTITUTE REISSUE APPLICATION DECLARATION BY THE INVENTOR		Docket Number (Optional) MTS-520US1
<p>As a below named inventor, I hereby declare that My residence, post office address and citizenship are stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number <u>5,761,301</u>, granted <u>June 2, 1998</u>, and for which a reissue patent is sought on the invention entitled <u>MARK FORMING APPARATUS, METHOD OF FORMING LASER</u> <u>MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK</u> the specification of which</p> <p><input type="checkbox"/> is attached hereto.</p> <p><input checked="" type="checkbox"/> was filed on <u>June 2, 2000</u> as reissue application number <u>09 / 588,364</u> and was amended on _____ (if applicable)</p> <p>I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.</p> <p>I verify believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)</p> <p><input type="checkbox"/> by reason of a defective specification or drawing.</p> <p><input checked="" type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent.</p> <p><input type="checkbox"/> by reason of other errors.</p> <p>At least one error upon which reissue is based is described as follows: See Attachment:</p>		

[Page 1 of 2]


Burdén Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/31 (12-97)

Approved for use through 8/31/02. OMB 0651-0030

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) MTS-520US1	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.			
Name(s)		Registration Number	
Allan Ratner		19,717	
Jacques L. Etkowicz		41,738	
Correspondence Address: Direct all communications about the application to:			
<input checked="" type="checkbox"/> Customer Number		<div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div> Type Customer Number here	
OR		<div style="border: 1px solid black; padding: 5px; text-align: center;">  Place Customer Number here 23122 Code Label here PATENT TRADEMARK OFFICE </div>	
<input checked="" type="checkbox"/> Filing or Individual Name	Ratner & Prestia		
Address	P.O. Box 980		
Address			
City	Valley Forge	State	PA
Country			
Telephone	610-407-0700	Fax	610-407-0701
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name)			
Mitsuaki Oshima			
Inventor's signature <i>Mitsuaki Oshima</i>			
Residence	Kyoto, Japan	Date	November 12, 2002
Post Office Address	115-3, Minamitasumi-cho, Katsura, Nishikyo-ku, Kyoto-shi, Kyoto 615, Japan		
Citizenship	Japanese		
Full name of second joint inventor (given name, family name)			
Yoshiho Gotoh			
Inventor's signature <i>Yoshiho Gotoh</i>		Date November 13, 2002	
Residence	Osaka, Japan	Citizenship	Japanese
Post Office Address	Room 201, 9-17, Hieashinkahama 4-chome, Jyoto-ku, Osaka-shi, Osaka 536, Japan		
Full name of third joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Post Office Address			
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

[Page 2 of 2]

Official

610 407 0701

6-16-03

T-770

P.018/029

F-744

**Attachment to PTO/SB/51 (12-97)
Reissue Application Declaration by the Inventor**

At least one error upon which reissue is based is described as follows:

During the prosecution of the application that issued as the above patent, the inventors did not recognize that the features disclosed in the patent at column 12, lines 30-36 were appropriate to claim. As such, the inventors did not claim all that they had a right to claim. This error was made without deceptive intent. Specifically, the inventors did not claim any one or more of the features of the reflective layer being trimmed by a laser to form a barcode-like trimming pattern or at least one marking.

More specifically, the inventors did not claim any one of the features of trimming the reflective layer of an optical disk to form a barcode pattern, where the barcode pattern is formed on a track of the disk. In addition, the inventors did not claim any one of the features of trimming the reflective film of an optical disk to form a marking by a laser, where the marking is formed on a track of the disk. These errors were made without deceptive intent.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 355(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which the priority date is claimed:

Prior Foreign Application(s)

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>
6-283415	Japan	17/November/1994
7-016153	Japan	02/February/1995
7-261247	Japan	09/October/1995

R&P \\\FS_MAKING\CLTDATA\CLZENT\VTSL520US1\ATTACHMENT_SUBDEC.DOC

Official

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mitsuaki Oshima et al.

: Art Unit: 2134

Serial No.: 09/588,364

: Examiner: P. E.
Callahan

Filed: November 17, 1995

For: MARK FORMING APPARATUS, METHOD OF
FORMING LASER MARK ON OPTICAL DISK,
REPRODUCING APPARATUS, OPTICAL DISK AND
METHOD OF PRODUCING OPTICAL DISK

COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

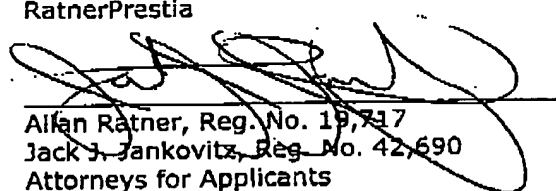
The undersigned surrendered to the Patent Office on November 22, 2002, an original Letters Patent No. 5,761,301. The original patent was given to Landon and Stark Associates who delivered it to Technology Center 2100.

Proof that the original patent was received in Technology Center 2100 on November 22, 2002 is shown in the attached copy of a postcard.

To the best knowledge of the undersigned, the original patent was delivered to the Technology Center 2100 on November 22, 2002. The Patent Office cannot find this original patent and the undersigned, therefore, believes that the original patent is now lost.

Respectfully Submitted,

RatnerPrestia


Allen Ratner, Reg. No. 19,717
Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

JJJ/fp

Dated: December 20, 2002

Enclosure: Copy of postcard

Suite 301
One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being hand delivered to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

December 20, 2002

Date: December 20 2002

Assistant Commissioner for Patents:

Please acknowledge receipt of the document(s) described below by imprinting the Patent and Trademark Office "date-stamp" hereon and returning this card to the addresses indicated on the reverse side.

FILE NO. PATENTS 580, US 1 FEE DUE? NO or YES: ±-0-NAME: M. Ophir et al.

☐ IDS and PTO Form 1449 (____ pp.) (Supplemental: YES or NO) **Received**
☐ Copy of ____ reference(s) ☐ Copy of Search Report
☐ Status Request ☐ Issued Claims (____ pp.) & Drawings
☐ Claim To Right of Priority ☐ Preliminary Amendment **DEC 20 2002**
☐ Response to Restriction Requirement ☐ Amendment (____ pp.) **Technology Center 2100**
☐ Response to Missing Parts ☐ Copy of Formalities Letter
☐ Form 1390 ☐ Certificate of Express Mailing ☐ RCE Transmittal
☐ Declaration/POA (____ pp.) ☐ Priority Document(s) (CERTIFIED)
☐ Assignment & Form 1595 (____ pp.) ☐ Petition for Ext. of Time (____ mo.)
☐ Response to OA (____ pp.) ☐ Fee Transmittal
☐ Petition to Make Special / For Revival ☐ Issue Fee and Publication Fee
☐ Submission of Formal Drawings ☐ Sheets of Drawings (Formal)
☐ Certificate of Correction ☐ Form 1050 (Duplicate) ☐ ±-0- Check(s)
☒ Communication ☐ enclosures **USN: 09/588,364**